

Age Discrimination Act

Can. Labour Dept.

Government
Publications

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The Older Worker

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... and The Employer

The challenges which face the management of any business, industry or public service must be met with knowledge, ability, skill, consistent effort and responsible judgment if such an enterprise is to succeed. These qualities are a successful manager's primary assets. His next most valuable asset is the presence of these same qualities in his employees, upon whom he depends in the operation of his enterprise.

Long experience and comprehensive research has demonstrated that these valued qualities are most often possessed by the mature older worker.

... and The Myth

Unfortunately, during recent decades the established competence and reliability of the mature older worker has often been obscured by the myth of popular fiction, constantly reinforced by the mass media, which depicts youth as the main possessor of knowledge, ability and judgment. Often, older persons are depicted as ineffectual defenders of backward ideas ... at best a poor second to youth.

The persistence of this myth and the unthinking attitudes it encourages tend to give youth an unearned and often unwarranted advantage in the labour market by erecting an artificial, but nonetheless effective, barrier against the competent worker who happens to be over 40 years of age.

... and The Record

Certainly, youth has physical vigor but thanks to modern nutrition and medical services many older workers retain their "youthful vigor" well beyond their fortieth year.

Certainly, youth can offer enthusiasm, new ideas, flexibility and adaptability, but it does not have a monopoly on these qualities and **"in the important areas of general productivity, judgment, staying on the job, care of equipment, of machinery and of themselves, studies conclusively prove the older worker is superior."**

(Department of Labour, Canada Pamphlet #181)

"Studies show that in many occupations the older experienced worker, in terms of skill, reliability, or thoroughness is as good, if not a better bet, than his younger colleague."
(Survey - Social Planning Council of Metropolitan Toronto)

"Over 90 percent of employers asked by the National Association of Manufacturers rated older workers equal to or better than younger workers in work performance."
(Report on Employment of Older Workers National Association of Manufacturers)

"Employment turnover in factories was 32 percent among men aged 25 to 39 and only 11 percent among those aged 40 and over."
(Merseyside Study - United Kingdom)

"Workers in the older age groups had a steadier rate of output than workers in younger groups."
(U.S. Dept. of Labour Study of 6000 Office Workers)

... and The Community

Recent Dominion Bureau of Statistics figures indicate **older workers**, between 40 and 64 years of age **make up over 40 percent of the total experienced and active labour force** in the 25 to 64 age range.

To place special restrictions on this large segment of our productive labour force is clearly not in the best interests of the community.

To place unreasonable handicaps on this group, most of whom have contributed 20 to 40 years of skill and effort to the community's development is not consistent with enlightened public policy.

... and The Law

In July 1966 the Government of Ontario declared its policy with the passage of the **Age Discrimination Act** which is administered by **The Ontario Human Rights Commission.**

Briefly, the Act provides that **no one shall be discriminated against in obtaining employment or subsequently in any condition of employment, solely on the basis of chronological age. No one shall be excluded from or denied full participation in the membership of a union because of age.**



What Can You Do?

*As an **employer** you can*

- re-examine your firm's employment policy and your own attitudes towards older workers.
- avoid the automatic and mechanical age-level barriers** which deny your firm the skill and experience of many competent older workers.
- recognize that **ability is ageless** - that individual differences vary enough to make arbitrary age limits invalid.

*As a **member of the community** you can*

- support the concept of merit employment** which stresses that workers be employed on the basis of their ability and qualifications to do a job.
- realize that much of our present day community was built with the skills and through the efforts of the older worker group.
- recognize that the older worker is seeking, not special treatment for services already rendered, but **an equal opportunity to get on with the job** and participate fully in the community's enterprise.

For Further Information

Copies of the Age Discrimination Act and the Ontario Human Rights Code describing the role of the Ontario Human Rights Commission in administering the Act and handling complaints are available.

The Commission is ready at any time to answer particular questions or discuss problems which employers, workers or representatives of unions of employees may wish to raise. The Commission's services are available for conferences, educational meetings and consultations related to the problems of older workers.

For information write to the Toronto, Windsor or Port Arthur Office of the Ontario Human Rights Commission. Information is also available through Department of Labour offices in Hamilton, Kingston, Kitchener, London, Ottawa and the Department's representatives located throughout the Province.

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Age Discrimination Act

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